

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PETER GARDELLA,
Plaintiff,

v.

MANHATTANVILLE COLLEGE,
Defendant.
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ORDER

23 CV 78 (VB)

2/8/23

Plaintiff commenced the instant action on January 5, 2023. (Doc. #1).

On January 24, 2023, plaintiff docketed an affidavit of service indicating service on defendant Manhattanville College on January 17, 2023. (Doc. # 5). Accordingly, defendant had until February 7, 2023, to respond to the complaint. See Fed. R. Civ. P. 12(a)(1)(A)(i).

To date, defendant has not answered, moved, or otherwise responded to the complaint.

Accordingly, provided that defendant remains in default, plaintiff is ORDERED to seek a certificate of default by **February 22, 2023**, and thereafter to move, by order to show cause and in accordance with the Court's Individual Practices, for default judgment against defendant by **March 8, 2023**. **If plaintiff fails to satisfy either deadline, the Court may dismiss the case without prejudice for failure to prosecute or failure to comply with court orders. Fed. R. Civ. P. 41(b).**

Dated: February 8, 2023
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge